

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
SENTENCING

FILED
DISTRICT COURT OF GUAM

DEC 14 2005 

CASE NO. CR-05-00039-003

DATE: 12/14/2005

MARY L.M. MORAN
CLERK OF COURT

HON. D. LOWELL JENSEN, Designated Judge

Law Clerk: Cheryl Kahn

Court Recorder: Wanda M. Miles

Courtroom Deputy: Virginia T. Kilgore

Hearing Electronically Recorded: 9:35:23 - 9:49:11

CSO: B. Pereda

***** APPEARANCES *****

DEFT: DEANNA INGRID MORALES aka
DEANNA MORALES GUERRERO

ATTY : SAMUEL TEKER

(X) PRESENT (X) CUSTODY () BOND () P.R.

(X) PRESENT () RETAINED () FPD (X) CJA APPOINTED

U.S. ATTORNEY: KARON JOHNSON

AGENT: ERWIN FEJERAN, IMMIGRATION AND CUSTOMS
ENFORCEMENT

U.S. PROBATION: MARIA CRUZ

U.S. MARSHAL: V. ROMAN

INTERPRETER: _____

() SWORN LANGUAGE: _____
() PREVIOUSLY SWORN

(X) COURT STATES THE APPROPRIATE BASE OFFENSE LEVELS

Base offense level: 30 Total offense level: 25 Criminal History Category: I

NO OBJECTIONS BY THE GOVERNMENT AND DEFENSE

(X) ATTORNEY FOR DEFENDANT ADDRESSES THE COURT:

Mr. Teker stated that his client is a minimal participant in this case and requested the Court for leniency in sentencing her. He further requested the Court for a judicial recommendation for Dublin, California and for his client to participate in a drug treatment program. GRANTED.

(X) DEFENDANT ADDRESSES THE COURT AND APOLOGIZES

(X) GOVERNMENT ADDRESSES THE COURT AND MAKES ITS RECOMMENDATION:

Recommended a sentence of 57 months. Ms. Johnson moved to dismiss Counts I and III. -GRANTED.

() LETTER(S) OF RECOMMENDATION RECEIVED BY THE COURT

NOTES/OTHER MATTERS:

The Court GRANTED the Government's motion for downward departure.

SENTENCE: CR-05-00039-003

DEFENDANT: DEANNA INGRID MORALES aka
DEANNA MORALES GUERRERO

- (X) DEFENDANT COMMITTED TO THE BUREAU OF PRISONS FOR A TERM OF FORTY-SIX MONTHS.
- (X) COURT RECOMMENDATION TO THE BUREAU OF PRISONS AT DUBLIN, CALIFORNIA. COURT FURTHER RECOMMENDS THAT DEFENDANT PARTICIPATE IN A DRUG TREATMENT PROGRAM.
- (X) UPON RELEASE FROM IMPRISONMENT, DEFENDANT IS PLACED ON SUPERVISED RELEASE FOR A TERM OF FIVE YEARS.

THE TERM OF SUPERVISED RELEASE WILL INCLUDE THE FOLLOWING CONDITIONS:

1. DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE, AND LOCAL CRIME.
2. DEFENDANT SHALL NOT USE OR POSSESS ILLEGAL CONTROLLED SUBSTANCES.
3. DEFENDANT SHALL NOT POSSESS A FIREARM OR OTHER DANGEROUS WEAPON.
4. DEFENDANT SHALL COOPERATE IN THE COLLECTION OF DNA AS DIRECTED BY THE U.S. PROBATION OFFICE.
5. DEFENDANT SHALL COMPLY WITH THE STANDARD CONDITIONS OF SUPERVISED RELEASE AS SET FORTH IN THE SENTENCING GUIDELINES.
6. DEFENDANT SHALL SUBMIT TO ONE URINALYSIS WITHIN 15 DAYS AFTER RELEASE FROM CUSTODY AND, TO TWO MORE URINALYSIS THEREAFTER.
7. DEFENDANT SHALL PARTICIPATE IN A PROGRAM APPROVED BY THE U.S. PROBATION OFFICE FOR SUBSTANCE ABUSE, WHICH MAY INCLUDE TESTING TO DETERMINE WHETHER THE DEFENDANT HAS REVERTED TO THE USE OF DRUGS OR ALCOHOL.
8. DEFENDANT SHALL PERFORM 100 HOURS OF COMMUNITY SERVICE.

IT IS FURTHER ORDERED THAT THE DEFENDANT PAY TO THE UNITED STATES A SPECIAL ASSESSMENT FEE OF \$100.00 TO BE PAID IMMEDIATELY AFTER SENTENCING.

ALL FINES ARE WAIVED SINCE IT HAS BEEN DETERMINED THAT THE DEFENDANT DOES NOT HAVE THE ABILITY TO PAY.

COURT STATES THE JUSTIFICATION OF SENTENCE IMPOSED. DEFENDANT ADVISED OF HER APPEAL RIGHTS. DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL.